

Decision Notice and Finding of No Significant Impact for Georgetown Lake Hazardous Fuels Reduction

USDA - Forest Service
Beaverhead-Deerlodge National Forest
Pintler Ranger District
Granite and Deerlodge Counties, Montana

DECISION

I have decided to reduce fuels on approximately 808 acres in the Wildland Urban Interface (WUI) area of Georgetown and Echo Lakes on the Pintler Ranger District of the Beaverhead-Deerlodge National Forest (BDNF). The project is located in T5, 6N; R13, 14W, approximately 10 miles south of Philipsburg, Montana. The project area location and individual treatment units are delineated on the maps attached to this decision.

Fuels reduction will be accomplished by reducing surface, ladder, and canopy fuels in lodgepole pine and Douglas-fir by thinning trees and removing woody debris. These treatments will reduce the flame length, torching index, and crowning index of a wildfire.

Slash created as a result of these treatments will be piled and burned; chipped; lopped and scattered; hauled away for disposal at another site; and/or used as biomass for energy production. Three slash-disposal areas totaling approximately 5 acres will be used to dispose of slash from those treatment units that lie in management areas that prohibit prescribed burning (Management Area A7 as described in the 1987 Deerlodge Forest Plan, III-16 through III-18).

Tables 1, 2, and 3 summarize the treatment types and the typical equipment normally used for each treatment type.

Table 1. Summary of treatment types by unit

Unit #	Approximate Acres	Treatment Type	Typical Equipment for Fuels Reduction Activities
1	8	Remove stems up to 6.5" DBH	Chainsaw, ATV, small tractor
2	5	Remove stems up to 6.5" DBH	Chainsaw, ATV, small tractor
3	21	Comprehensive treatment, removing stems 1" DBH to 14" DBH	Mechanized harvester, grapple skidder, delimber, forwarder
4a	10	Remove stems up to 6.5" DBH	Chainsaw, ATV, small tractor
5	6	Remove stems up to 6.5" DBH	Chainsaw, ATV, small tractor
6	45	Remove stems up to 6.5" DBH	Chainsaw
7	56	Remove stems up to 6.5" DBH	Chainsaw
7a	12	Remove stems up to 6.5" DBH	Chainsaw, ATV, small tractor

Unit #	Approximate Acres	Treatment Type	Typical Equipment for Fuels Reduction Activities
8a	36	Remove stems up to 6.5" DBH	Chainsaw, ATV, small tractor
9	10	Remove stems up to 6.5" DBH	Chainsaw, ATV, small tractor
9a	10	Comprehensive treatment, removing stems 1" DBH to 14" DBH	Mechanized harvester, grapple skidder, delimber, forwarder
9b	31	Remove stems up to 6.5" DBH	Chainsaw, ATV, small tractor
10	34	Remove stems up to 6.5" DBH	Chainsaw, ATV, small tractor
11	59	Remove stems up to 6.5" DBH	Chainsaw, ATV, small tractor
12a	10	Remove stems up to 6.5" DBH	Chainsaw
12b	18	Comprehensive treatment, removing stems 1" DBH to 14" DBH	Mechanized harvester, grapple skidder, delimber, forwarder
12c	31	Comprehensive treatment, removing stems 1" DBH to 14" DBH	Mechanized harvester, grapple skidder, delimber, forwarder
12d	10	Remove stems up to 6.5" DBH	Chainsaw, ATV, small tractor
12e	55	Remove stems up to 6.5" DBH	Chainsaw, ATV, small tractor
12f	9	Remove stems up to 6.5" DBH	Chainsaw, ATV, small tractor
14	30	Remove stems up to 6.5" DBH	Chainsaw, ATV, small tractor
025	4	Remove stems up to 6.5" DBH	Chainsaw, ATV, small tractor
026	27	Remove stems up to 6.5" DBH	Chainsaw, ATV, small tractor
071	65	Remove conifers up to 6.5" overtopping sage and grass	Chainsaw
074	16	Remove conifers up to 6.5" overtopping sage and grass	Chainsaw
100	37	Slash/Burn conifers	Chainsaw, drip torch
101	153	Slash/Burn conifers	Chainsaw, drip torch

Table 2. Summary of Treatment Types

Treatment Type	Approximate Acres
Remove stems up to 6.5" DBH	457
Comprehensive, remove stems 1" DBH to 14" DBH	80
Remove conifers up to 6.5" DBH overtopping sage and grass	81
Slash/Burn conifers	190
Total approximate acres for all treatments	808

Table 3. Treatment Type Descriptions

Treatment Type	Approximate Acres	Treatment Description
Remove trees up to 6.5" DBH (Mechanized)	457	Remove trees up to 6.5" DBH from the understory. Slash residue from these thinning activities will be disposed of using a mix of methods that include piling and burning, chipping, lopping and scattering, hauling the material away for disposal at another site, or used as biomass for energy production.

Treatment Type	Approximate Acres	Treatment Description
Comprehensive Treatment: Remove trees of all sizes up to 14" DBH from the canopy (Mechanized)	80	This treatment includes removing trees up to 14" DBH. Slash residue from these thinning activities will be disposed of using a mix of methods that include piling and burning, chipping, lopping and scattering, hauling the material away for disposal at another site, or used as biomass for energy production. The primary emphasis will be on removing trees less than 6.5" DBH first. Additional trees between 6.5" DBH and 14" DBH would be removed to the extent necessary to reduce Crowning Index and Torching Index.
Remove conifers from meadows using mechanical methods (Mechanized)	81	Conifers are colonizing sagebrush/grass meadows. Stems 6.5" DBH and smaller will be cut. The slash will be lopped and scattered. No burning is planned.
Remove conifers from meadows using prescribed burning (Fire)	190	Stems 6.5" DBH and less will be cut. Slash disposal will include jackpot burning or broadcast burning of slash and standing small trees. A common method for accomplishing this type of burning includes ground crews using hand-firing devices. Engines, hand crews, fuel breaks and constructed fire line will be used where needed to contain and control prescribed fires.

The treatment units were designed to help protect Values at Risk. These include cabins, homes, other structures, roads for ingress and egress, campgrounds, picnic sites, and boat launches, and property boundaries between National Forest System lands and private property. All treatment units are adjacent to or surrounding Values at Risk. Table 4 displays Values at Risk in/near each treatment unit.

Table 4. Values at Risk by Treatment Unit

Unit #	Cabins/Homes at risk in or near unit	Roads for ingress and egress at risk in or near unit	Campgrounds or boat launches at risk	Is unit located along Private/Fed. Boundary?
1	Yes, within unit	Yes, through unit	Nearby	-
2	Yes, within unit	Yes, at base of unit	Nearby	Yes
3	Yes, homesites and homes within a few yards of unit	-	-	Yes
4a	Yes, homesites and homes within a few yards of unit	-	-	Yes
5	Yes, homesites and homes within a few yards of unit	-	-	Yes
6	Yes, homesites and homes within a few yards of unit	-	-	Yes
7	Yes, homesites and homes within a few yards of unit	-	-	Yes
7a	Yes, within unit. Private homes against unit. 16 lot subdivision within a few hundred feet	Main ingress/egress road at base of unit	Boat marina within a few hundred feet	Yes
8a	Yes, within unit	Access to cabins and picnic sites goes along edge of unit.	-	No
9	No- but electrical transmission lines within 100 feet of unit boundary	No	No	Yes
9a	Yes – private home within 500 feet of unit	No	No	Yes
9b	Yes. Homes within 500 feet; more homesites within a few hundred feet of unit boundary	Yes – road to Echo Lake	Yes – Lodgepole Campground	Yes, private land along north west edge.

Unit #	Cabins/Homes at risk in or near unit	Roads for ingress and egress at risk in or near unit	Campgrounds or boat launches at risk	Is unit located along Private/Fed. Boundary?
10	Yes, cabins within unit	Yes	No, although some private boaters tie up along edge of unit	No
11	No	Yes	Yes – Philipsburg Bay Boat Launch and Campground	No
12a	Yes, cabins within unit	Yes – to Piney Campground	Piney Campground at edge	Yes
12b	No	Yes- south end of unit touches main road around lake	Yes – Piney Campground is within 700 feet	No
12c	No	Yes- main access around lake goes through unit	Yes – boat launch near end of unit	Within a few feet of boundary.
12d	No	Yes-main access around lake	No	Within 200 feet of private
12e	No	Yes-main access around lake	Yes – adjacent to Piney Campground and Boat Launch and to Girl Scout Camp	No
12f	No	Yes-main access around lake	No	No, but close to private land
14	Yes – private subdivision and homes next to unit. In fact unit wraps clear around private	Yes, one road accessing subdivisions through unit	No	Yes, unit lies between pieces of private land
25	Yes – Guest ranch adjacent to south end private homes at north end	Yes	No	Yes- lies between two pieces of private
26	Yes – private homes on north edge of unit	No	No	Yes- private on north boundary
71	No	Yes – main access road around lake	Yes, launch on west side	No- but within 200 feet
74	Yes – private homes within a few hundred feet	No	No	Yes
100	No	Yes – borders Pintler Scenic Highway and ingress/egress route to Echo Lake	No	No – although unit lies within the larger wildland/urban interface
101	Yes – unit lies near private homes	Yes -- roads to private and public access are next to unit	No	Yes, portion of unit extends along private/federal boundary

Old Growth: All treatment units were surveyed for the presence of old growth. Areas containing old growth are excluded from treatment.

Mitigation: My decision incorporates all mitigation identified in Appendix A to this Decision Notice.

PURPOSE AND NEED FOR ACTION

The purpose of this project is to reduce hazardous fuels and subsequently the risk of loss to private in-holdings and infrastructure from wildland fire in the Georgetown Lake WUI. By reducing fuel loads and breaking up fuel continuity, the ability to effectively suppress fires within the project area would increase. Not only would treatment help to protect the Georgetown Lake WUI area from fires originating outside and burning into the project area, the prescribed treatments would also increase firefighters' ability to actively suppress human-caused fires that may start inside the project area.

This project responds to the National Fire Plan, which provides a strategy for a comprehensive approach to the management of wildland fire and hazardous fuels on Federal and adjacent State, tribal, and private forest and range lands in the United States. The strategy emphasizes reducing the risk to communities and the environment. As part of the National Fire Plan, a 10-Year Comprehensive Strategy was prepared; one of the goals of this strategy is to reduce hazardous fuels.

The specific objectives related to the purpose and need for the Georgetown Lake Hazardous Fuels Reduction project include:

- **Reduce hazardous fuels in the wildland-urban interface**

The forested stands in the project area are generally lodgepole pine with dead-downed woody debris and ladder fuels in the understory. The tree canopy is closed because the trees are closely spaced. The current fuel conditions promote high intensity fire under high to extreme fire weather conditions, i.e., strong winds and hot, dry days. The expected fire behavior under these fuel and weather conditions can be characterized as active crown fire. By reducing the surface, ladder, and canopy fuels, the resulting fire behavior would decrease. Reduction of these fuels would reduce both the hazard associated with active crown fire and increase firefighter capability to suppress fire in the project area. Anaconda-Deer Lodge County and Granite County defined their own WUI's, as described in their respective Community Wildfire Protection Plans (CWPP). These definitions expand upon the nationally-recognized HFRA WUI definition. The Georgetown Hazardous Fuels Reduction project area is within the county-defined WUI's. The Anaconda-Deer Lodge CWPP identifies the Echo Lake and Georgetown Lake East subdivisions at very high to extreme risk to wildfire (CWPP, p. 32); the Granite County CWPP identifies the Georgetown Lake South and West subdivisions at very high risk to wildfire (CWPP, p. 32). The two CWPP's identify Priority Protection Zones; the proposed treatment units lie within zones rated as Medium Priority and High Priority.

- **Reduce the potential of damage to public and private values at risk within the project area from wildland fire.**

The area surrounding Georgetown Lake and Echo Lake contains a considerable amount of private land intermixed with National Forest System lands. There are over 1400 homes and other structures within the project area with subdivisions and new home construction continuing on private property. Additional subdivision proposals are pending and subject to county approval. There are approximately 70 permitted recreation residences and structures on Forest Service administered lands, several campgrounds and recreation facilities, and the Discovery Basin Ski Area. The area is classified as an urban interface intermix community because of the number of structures and developments in portions of the project area and the distribution of the structures throughout the forest. The infrastructure in much of the area is such that firefighting capabilities are limited or hindered in many areas by narrow dead-end roads and one-way in/out routes. The reduction of fuels in the project area will in turn reduce the hazard to public and private property, structures, and recreation values.

- **Increase firefighter and public safety**

The difficulty of suppressing intensely burning wildfires increases significantly when populated areas are threatened. Not only are firefighters at risk, but forest users and the citizens of the threatened community are also in danger. Reducing fuel loads through thinning, prescribed fire and other mechanized treatments would help to decrease the intensity of a wildfire and increase fire fighter and public safety. The treatments will help create defensible spaces near private and Forest Service values at risk. This, in conjunction with actions taken on other ownerships, will result in a safer environment for firefighters and the public.

PROPOSED ACTION

Refer to the Decision section, above and EA pages 4 through 7 for a complete description of the proposed action.

PUBLIC INVOLVEMENT

Refer to EA page 1 and pages 7-8 for a complete description of the public involvement efforts for this project. On March 31, 2006, BDNF Forest Supervisor, Bruce Ramsey, documented his decision to treat hazardous fuels in the Georgetown Lake area in the Georgetown Lake Hazardous Fuels Reduction Decision Memo under CE Category 10.

As of November 2008 (when court rulings invalidated the use of CE Category 10 as described in FSH 1905.15 31.2), approximately 25 percent of the approved project had been completed. Because of the invalidation of the CE category, the BDNF took the proposed action, public involvement, and environmental effects analysis used to support the 2006 Decision Memo and developed the Georgetown Lake Hazardous Fuels Reduction Environmental Assessment (EA).

The EA was sent to the 14 people/organizations that had commented on the December 2005 "draft" Decision Memo, a news release was provided to area newspapers, and the EA was posted on the BDNF web site. On January 23, 2009, a legal notice was published in the *Montana Standard* newspaper alerting the public of the availability of the EA. We received eight responses providing comments on the EA; seven expressed support for the project, and one commenter posed several questions or expressed concern about some aspects of the analysis. The comments and Forest Service responses are contained in Appendix B to this Decision Notice.

ISSUES/CONCERNS

The interdisciplinary team found no issues or unresolved conflict concerning alternative uses of available resources. No issues were identified that required an alternative to address them; refer to EA page 8. My review of public comments on the EA found concerns have been adequately addressed through the analysis.

ALTERNATIVES CONSIDERED

The Georgetown Lake Hazardous Fuels Reduction EA fully developed one action alternative and the No Action alternative.

- Alternative 1 is the No Action Alternative
- Alternative 2 is the Proposed Action

Refer to EA pages 4-8 for additional details on the alternatives.

Resource concerns brought out during interdisciplinary team analysis were addressed by including mitigation measures with the selected alternative. Therefore, I find the range of alternatives adequate.

RATIONALE FOR MY DECISION

As stated in the Purpose and Need section of this decision, the area surrounding Georgetown Lake and Echo Lake contains a considerable amount of private land intermixed with National Forest System lands. There are over 1400 homes and other structures within the project area with subdivisions and new home construction continuing on private property. There are approximately 70 permitted recreation residences and structures on Forest Service administered lands; several campgrounds and recreation facilities; and the Discovery Basin Ski Area. The infrastructure in much of the area is such that firefighting capabilities are limited or hindered in many areas by narrow dead-end roads and one-way in/out routes.

In October 2000 "The National Fire Plan" was created. One of the operating principles of this plan is to reduce hazardous fuels. In December of 2003, the Healthy Forest Restoration Act (HFRA) became law. This law defines an "At-Risk Community" as being comprised of a group of homes and other structures with basic infrastructure and services (such as utilities and collectively maintained transportation routes) within or adjacent to Federal land, in which conditions are conducive to a large-scale wildland fire disturbance event, and for which a significant threat to human life or property exists as a result of a wildland fire disturbance event." Georgetown Lake was identified as a "community in the vicinity of Federal lands at risk from wildfire" in the August 17, 2001 Federal Register Notice (project file).

A Community Wildfire Protection Plan (CWPP) was developed for Anaconda-Deerlodge County through a contract between the Headwaters RC&D and the Bureau of Land Management with cooperation and participation of Anaconda-Deer Lodge County. A separate CWPP was developed for Granite County through a similar contract and participation with Granite County (project file). The purpose of these CWPP's is "the generation of management recommendations that protect values at risk from wildfire in the wildland-urban interface, including lives, homes, businesses, and essential infrastructure (e.g., escape routes, municipal water supply structures, and major power and communication lines), with appropriate consideration for other community values." Anaconda-Deerlodge County and Granite County defined their own WUI's, as described in the separate CWPP's. These definitions build upon the nationally-recognized HFRA WUI definition. The Georgetown Hazardous Fuels Reduction project area is contained within the county-defined WUI's.

The Headwaters Resource Conservation and Development Area, Inc. (HRCD) submitted a report titled "Georgetown Lake Hazardous Fuels Reduction Program". This report is located in the project file. The report states "This high density of lodgepole pines and ground fuels combined with the rapid development of new recreational and permanent housing makes this area a high fire risk. [T]he biggest concern voiced by those participating in the program is the condition of the FS lands surrounding the private lands. The FS has told homeowners it has plans to begin treating its lands, but homeowners are concerned that no work has been started and have expressed the fear that unless these lands are treated their properties remain at risk. With the present drought conditions that fear has been exacerbated."

The two CWPP's identify Priority Protection Zones. The treatment units authorized under this decision lie within zones rated as Medium Priority and High Priority. I am concerned with firefighter safety, public safety, and protection of values at risk in the Georgetown WUI. These concerns, combined with public interest from the residents of the Georgetown Lake and Echo Lake areas, and the findings in the Community Wildfire Protection Plans for Anaconda-Deerlodge and Granite Counties made hazardous fuels reduction in the Georgetown WUI a priority for me.

My goal in the Georgetown Lake Hazardous Fuels Reduction treatment units is to have fuels at such a level, given modeled weather, that modeled fire behavior would be at an “acceptable” level. Three categories of fuel contribute to fire behavior; they are surface, ladder, and crown fuels. I consider fire behavior to be unacceptable when it threatens firefighter and public safety, and/or public and private property and structures, which we refer to as values at risk.

Modeled fire behavior shows that on the hottest, windiest days in a typical summer, fire behavior could produce flame lengths and independent running crown fire conditions that threaten human safety and values at risk. See Table 4 – Values At Risk By Treatment Unit. The definition of acceptable fire behavior includes predicted surface flame length; and predicted wind speed necessary to cause individuals trees to torch (Torching Index) or for an independent running crown fire to occur (Crowning Index). This fire behavior is measured by Torching Index (TI) and Crowning Index (CI). The use of crowning index coincides with Fiedler et al's (2001) definition of moderate hazard. For the Georgetown analysis, torching index and surface flame length were added as modeling parameters to determine acceptable fire behavior. These fire behavior predictors were used to make a more refined estimate of fire behavior in the project area.

Flame length is one indicator of whether a fire can be suppressed by hand crews. Flame lengths greater than two feet create a condition in which hand crews have difficulty directly attacking a surface fire. Torching Index indicates the likelihood a surface fire will climb into the tree canopy via ladder fuels. Crowning Index indicates the likelihood of a sustained, independent, running crown fire. Table 5 displays a summary of acceptable predicted fire behavior for the Georgetown project.

Table 5. Summary of acceptable predicted fire behavior for Georgetown

Fire Descriptor	Acceptable Fire Behavior –
Flame Length	2 feet or less
Torching Index	Would not torch into crowns unless wind speed exceeds 25 mph (desired condition expressed as 25 miles per hour (mph) or greater)
Crowning Index	Would not carry an independent, running crown fire unless wind speed exceeds 25 mph (desired condition expressed as 25 miles per hour (mph) or greater)

Predicted fire behavior in all treatment units (prior to treatment) is outside the acceptable ranges identified in Table 5 (Silviculture Report, project file). All treatments occur within an area referred to as a community protection zone (DellaSala et al, 2003; Nowicki, 2002).

Addressing Purpose and Need

I did not select the No Action alternative because it would not meet the purpose and need for the project; hazardous fuels, the hazard they pose to public and private values at risk from wildland fire, and firefighter and public safety in the Georgetown Lake WUI would not be reduced.

Alternative 2 is the selected alternative, which meets the purpose and need to reduce hazardous fuels and subsequently the risk of loss to private inholdings and infrastructure from wildland fire in the Georgetown Lake WUI.

Consistency with the Forest Plan

In reaching my decision, I have thoroughly read and understand the EA and all the associated materials contained in the project file for the proposed action. In addition, I reviewed the appropriate sections of the Forest Plan, the Forest Plan FEIS, and the Forest Plan Record of Decision.

I find that my decision is consistent with the goals, objectives, and standards of the 1987 Deerlodge National Forest Plan as described for the management areas specific to this proposal. Refer to the EA pages 9-10 and the project file for more information regarding this project's consistency with the Forest Plan.

FINDINGS REQUIRED BY LAWS, REGULATIONS, AND POLICIES

Numerous laws, regulations, and agency directives require my decision be consistent with their provisions. I have determined my decision is consistent with all laws, regulations, and agency policy. The following summarizes findings required by major environmental laws. My decision to implement the Georgetown Lake Hazardous Fuels Reduction project, including all mitigation listed in Appendix A, is consistent with land management direction described in the Deerlodge National Forest Land and Resource Management Plan (1987).

National Environmental Policy Act (NEPA)

NEPA provisions and all regulations for implementation of NEPA (as required under 40 CFR 1500) have been followed in the development of the environmental assessment and Decision Notice. The detailed specialist reports (summarized in the EA) contained in the project file disclose the expected impacts of this project. This Decision Notice describes the decision I have made and my rationale for making it.

National Forest Management Act (NFMA)

The National Forest Management Act and accompanying regulations require that several specific findings be documented at the project level.

Consistency With Forest Plan. See discussion under "Consistency with the Forest Plan" section above.

Suitability for Timber Production. No timber harvest, other than salvage sales or sales to protect other multiple-use values, shall occur on lands not suited for timber production (16 USC 1604(k)). The Georgetown Lake Hazardous Fuels Reduction project will utilize a variety of treatment types to implement hazardous fuels reduction for the purpose of achieving non-timber resource goals and objectives in areas designated as unsuitable for timber production (Management Areas A1, A7, and C2). The purpose and need of the project is to: reduce hazardous fuels in the wildland-urban interface; reduce the potential of damage to public and private property and structures within the project area from wildland fire; and increase firefighter and public safety. The purpose of the project is not timber production. The project is not purposely growing and tending trees for commercial production.

NFMA does not prohibit all cutting of trees in "unsuitable" management areas, but expressly allows "sales necessitated to protect other multiple-use values." Project treatments protect two primary multiple-use values. The project protects property and structures referred to as values at risk. These include cabins and homes at risk in or near treatment units; roads for ingress and egress; campgrounds or boat launches; and private/Federal land boundaries. Second, the project protects the wildland-urban interface by treating fuels to provide a buffer that will give firefighters a better chance of successfully attacking a wildfire, and that will increase firefighter and public safety. Harvesting timber in Management Areas A1, A7, and C2 is consistent with NFMA because treatment under the project is necessary to protect other multiple-use values, as expressly permitted by NFMA.

Clearcutting and Even-aged Management. No clearcutting or even-aged management will occur with this project.

Vegetation Manipulation. All proposals that involve vegetation manipulation of tree cover for any purpose must comply with seven requirements found at 36 CFR 219.27 (b). I find the prescribed management practices will:

Be best suited to the goals stated in the Forest Plan. Based upon review of pertinent information from the project file and personal field review, I have determined this project is best suited to the multiple-use goals established for the area.

Assure that lands can be adequately restocked within five years after final harvest. A minimum residual basal area of 80 square feet per acre will be left in all forested stands. Forested stands will remain stocked after treatments.

Not be chosen primarily because they will give the greatest dollar return. The decision to implement the project was based on a variety of reasons as discussed earlier in this decision. Economics was considered during my decision-making process.

Be chosen after considering potential effects on residual trees and adjacent stands. The analysis considered the effects on residual trees and adjacent stands as discussed in the Silviculture report found in the project file.

Be selected to avoid permanent impairment of site productivity and ensure conservation of soil and water resources. The project avoids impairment of site productivity. This determination is supported by disclosures in the Hydrology, Fisheries, and Soils reports located in the project file.

Be selected to provide the desired effects on water quality and quantity, wildlife and fish habitat, regeneration of desired tree species, forage production, recreation uses, aesthetic values, and other resource yields. The project provides the desired effect on the above resources. The standards and guidelines contained in the Forest Plan are designed to provide the desired effects of management practices on the other resource values. The project meets or exceeds applicable standards and guidelines, as noted under the "Consistency with the Forest Plan" section in this decision.

Be practical in terms of transportation and harvesting requirements and total costs of preparation, logging, and administration. This project will not require construction of any temporary road; all activities will occur from existing roads. This project will not require any unusual or complex yarding systems.

Sensitive Species. Federal law and direction applicable to sensitive species include the National Forest Management Act and the Forest Service Manual (2670). The Regional Forester has approved the sensitive species list – those plants and animals for which population viability is a concern. In making my decision, I have reviewed analysis and projected effects on all sensitive species listed as occurring or possibly occurring within the analysis area. These findings support the conclusion the project will have no adverse impacts on sensitive species.

National Historic Preservation Act, Archaeological Resources Protection Act, and Native American Graves Protections and Repatriation Act

The Forest Archaeologist met with the Tribal Preservation Officer of the Confederated Salish-Kootenai Tribe and with the Tribal Archaeologist for the Shoshone-Bannock Tribe and discussed the project with them. No comments were received from the tribes concerning this project. Forty-three previous inventories were conducted by Heritage personnel in or near the analysis area. These inventories were based on the "Site Identification Strategy" found in the Region 1 Programmatic Agreement between the Forest Service and Montana State Historic Preservation Officer.

Clean Air Act

Implementation of the project will be compatible with Montana State Air Quality Bureau goals for clean air based on Forest Service participation and compliance with burning restrictions set by the Montana / Idaho Airshed Group. The practices established by the Airshed Group are considered Best Available Control Technology by the

Department of Environmental Quality. The Bureau of Land Management and the Forest Service are permitted to burn based on compliance with burning restrictions set by the Airshed Group and compliance with all other Federal and State laws and regulations.

Clean Water Act and State Water Quality Standards

The design of project activities is in accordance with Forest Plan standards and guidelines, the Regional Guide, Best Management Practices, and applicable Forest Service manual and handbook direction. Project activities will be consistent with the Clean Water Act, State Water Quality Standards, and consistency requirements for TMDL watersheds. The A-1 classification status (municipal) of waters above Georgetown Lake is expected to be maintained.

The Endangered Species Act

In accordance with Section 7 (c) of the Endangered Species Act, as amended, and as described in the Wildlife Species Considered and Regulatory Authority section in the wildlife specialist report in the project file and summarized on EA page 13, the U.S. Fish and Wildlife Service (USFWS) identified gray wolf as the listed species that may be present in the analysis area. The Biological Assessment concludes the project will “not likely jeopardize the continued existence of the wolf within the nonessential experimental population area”. This decision meets the intent of the Endangered Species Act.

Environmental Justice and Civil Rights

Executive Order 12898, issued in 1994 ordered Federal Agencies to identify and address any adverse human health and environmental effects of agency programs that disproportionately impact minority and low-income populations. The Order also directs agencies to consider patterns of subsistence hunting and fishing when an agency action may affect fish or wildlife. The project will not alter opportunities for subsistence hunting and fishing by Native American tribes. Tribes holding treaty rights for hunting and fishing on the BDNF are included on the project mailing list, and have the opportunity to provide comments on this project. Public involvement occurred for this project, the results of which I have considered in this decision. Public involvement did not identify any adversely impacted local minority or low-income populations. This decision is not expected to adversely impact minority or low-income populations.

The Civil Rights Act of 1964 provides for nondiscrimination in voting, public accommodations, public facilities, public education, federally assisted programs, and equal employment opportunity. Title VI of the Act, Nondiscrimination in Federally Assisted Programs, as amended (42 U.S. C. 2000d through 2000d-6) prohibits discrimination based on race, color, or national origin. This decision complies with this act.

Other Factors Considered In The Decision**National Fire Plan**

In August 2000, President Clinton directed the Secretaries of Agriculture and the Interior to develop a response to severe wildland fires, reduce fire impacts on rural communities, and ensure effective firefighting capacity in the future. The President also asked what actions federal agencies, in cooperation with states and local communities, could take to reduce immediate hazards to communities in the wildland-urban interface, and to ensure that fire management planning and firefighting personnel and resources are prepared for extreme wildland fires in the future.

The Forest Service responded in October 2000, with the report “Managing Impacts of Wildfires on Communities and Environment,” (USDA Forest Service, 2000) known as “The National Fire Plan.” Operating principles directed by the Chief of the Forest Service in implementing the report include: firefighting readiness, prevention through education,

rehabilitation, hazardous fuel reduction, restoration, collaborative stewardship, monitoring, jobs, and applied research and technology transfer.

As a part of this process, the Departments of Agriculture and Interior prepared "A Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment (August 2001) and the 10-Year Strategy Implementation Plan (May 2002). These documents are available at: <http://www.fireplan.gov>. The 10-Year Comprehensive Strategy was developed by federal, state, tribal, local government, and nongovernmental representatives for the purpose of improving the management of wildland fire and hazardous fuels, as well as meeting the need for ecosystem restoration and rehabilitation in the United States on federal and adjacent state, tribal, and private forest and range lands.

The goals identified in the 10-Year Comprehensive Strategy include:

- Improve Prevention and Suppression (firefighting readiness, prevention through education)
- Reduce Hazardous Fuels (where negative impacts of wildland fire are the greatest)
- Restore Fire Adapted Ecosystems (rehabilitation and restoration of healthy diverse and resilient ecological systems)
- Promote Community Assistance (increase local firefighting capacity, provide technical assistance and cost-sharing incentives, promote utilization of small-diameter material)

The Georgetown Lake Hazardous Fuels Reduction project responds directly to Goal 2 of the 10-Year Comprehensive Strategy by focusing on hazardous fuels reduction in an urban wildland interface community, where the negative impacts of wildland fire are potentially the greatest.

Healthy Forests Restoration Act

In December of 2003, the Healthy Forest Restoration Act (HFRA) became law. This law defines an "At-Risk Community" as being comprised of a group of homes and other structures with basic infrastructure and services (such as utilities and collectively maintained transportation routes) within or adjacent to Federal land, in which conditions are conducive to a large-scale wildland fire disturbance event, and for which a significant threat to human life or property exists as a result of a wildland fire disturbance event." Georgetown Lake was identified as a "community in the vicinity of Federal lands at risk from wildfire" in the August 17, 2001 Federal Register Notice (project file).

A Community Wildfire Protection Plan (CWPP) was developed for Anaconda-Deerlodge County through a contract between the Headwaters RC&D and the Bureau of Land Management with cooperation and participation of Anaconda-Deer Lodge County. A separate CWPP was developed for Granite County through a similar contract and participation with Granite County (project file). The purpose of these CWPP's is "the generation of management recommendations that protect values at risk from wildfire in the wildland-urban interface, including lives, homes, businesses, and essential infrastructure (e.g., escape routes, municipal water supply structures, and major power and communication lines), with appropriate consideration for other community values." Anaconda-Deerlodge County and Granite County defined their own WUI's, as described in the separate CWPP's. These definitions build upon the nationally-recognized HFRA WUI definition. The Georgetown Hazardous Fuels Reduction project area is contained within the county-defined WUI's.

FINDING OF NO SIGNIFICANT IMPACT

I have reviewed the direct, indirect, and cumulative effects of the proposed activities documented in the Georgetown Lake Hazardous Fuels Reduction EA, specialist reports, and supporting documentation in the project file for this analysis. Implementing regulations for NEPA provide criteria for determining the significance of effects. Significant, as used in NEPA, requires consideration of both context and intensity as set forth in 40 CFR 1508.27:

(a) Context. This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short and long-term effects are relevant:

The disclosure of effects summarized in the EA (and detailed resource reports in the project file) found the project limited in context. The setting of this project is localized with implications only for the immediate area. The impacts associated with this project are short-term and local and are not likely to significantly affect regional or national resources. The actions involved in this decision are consistent with management direction contained in the 1987 Deerlodge National Forest Plan.

(b) Intensity. This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following are considered in evaluating intensity:

(1) Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effects will be beneficial.

My decision meets the intent of goals and objectives outlined in the Deerlodge National Forest Plan. Beneficial and adverse impacts of this decision are summarized in the EA. No significant impacts were identified.

(2) The degree to which the proposed action affects public health or safety.

This decision will have no significant or unacceptable effect on public health or safety. The project is designed to reduce hazardous fuels, protect values at risk, and increase firefighter and public safety.

(3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

This project has been reviewed in compliance with the regulations for implementing Section 106 of the National Historic Preservation Act; there are no cultural resource concerns.

There are no park lands, no prime farmlands, no ecologically critical areas, and the area is not being considered for Wild and Scenic River designation. Treatment activities will not affect existing floodplains or wetlands. As disclosed in the Hydrology Report in the project file, no negative effects to water quality are expected, therefore the A-1 classification status (municipal) of waters above Georgetown Lake is expected to be maintained.

(4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

Based on internal discussion and the analysis of the actions in this decision, the effects on the human environment (summarized in the EA) are not likely to be considered highly controversial by professionals, specialists, and scientists.

(5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

Scoping did not identify highly uncertain, unique, or unknown risks. The possible effects on the human environment are not highly uncertain nor do they involve unique or uncertain risks. The technical analyses conducted for determinations of the resources are supportable with use of accepted techniques, reliable data, and professional judgment. Impacts are within the limits that are considered thresholds of concern. Therefore, I conclude there are no highly uncertain, unique, or unknown risks.

(6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The implementation of this decision is not precedent setting and does not represent any future decisions. Any other proposals for this area will be subject to full NEPA disclosure.

(7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.

A cumulative effects analysis was conducted for this proposal. There are no known significant cumulative effects between this project and other projects implemented or planned on areas separated from the affected area of this project. Other known and reasonably foreseeable activities were considered, documented in the project file, and summarized in the EA.

(8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural or historical resources.

No cultural resources are expected to be affected by this action. This project has been reviewed in compliance with the regulations for implementing Section 106 of the National Historic Preservation Act; there are no cultural resource concerns.

(9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

The project will not adversely affect any threatened or endangered wildlife, fish, or plant species (EA pages 12-13 and BA/BEs in the project file).

(10) Whether the action threatens a violation of Federal, State or local law or requirements imposed for the protection of the environment.

This action will not threaten a violation of Federal, State, or local laws or requirements imposed for the protection of the environment. Applicable laws and regulations were considered in the analysis. The action is consistent with the Deerlodge Forest Plan (refer to EA pages 9-15).

Conclusion

Based upon the review of the test for significance and the environmental analysis conducted, I have determined that the actions analyzed for the Georgetown Lake Hazardous Fuels Reduction project do not constitute a major federal action and their implementation will not significantly affect the quality of the human environment. Accordingly, I have determined that an Environmental Impact Statement need not be prepared for this project.

ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

This decision is subject to appeal pursuant 36 CFR 215. Individual or organizations appealing this decision must meet the requirements of 36 CFR 215.13. A written appeal must be submitted within 45 days following the publication date of the legal notice of this decision in the *Montana Standard*, Butte, Montana. It is the responsibility of the appellant to ensure their appeal is received in a timely manner. The publication date of the legal notice of the decision in the newspaper of record is the exclusive means for calculating the time to file an appeal. Appellants should not rely on date or timeframe information provided by any other source.

The appeal must be filed with the Appeal Deciding Officer in writing. It is the appellant's responsibility to provide sufficient project or activity-specific evidence and rationale, focusing on the decision, to show why the decision should be reversed. At a minimum, the appeal must meet the content requirements of 36 CFR 215.14, and include the following information:

- The appellant's name and address, with a telephone number if available;
- A signature, or other verification of authorship upon request (a scanned signature for electronic mail may be filed with the appeal);
- When multiple names are listed on an appeal, identification of the lead appellant and verification of the identity of the lead appellant upon request;
- The name of the project or activity for which the decision was made, the name and title of the Responsible Official, and the date of the decision;
- The regulation under which the appeal is being filed, when there is an option to appeal under either 36 CFR 215 or 36 CFR 251, subpart C;
- Any specific change(s) in the decision that the appellant seeks and rationale for those changes;
- Any portion(s) of the decision with which the appellant disagrees, and explanation for the disagreement;
- Why the appellant believes the Responsible Official's decision failed to consider the comments; and
- How the appellant believes the decision specifically violates law, regulation, or policy.

Written appeals must be submitted to:

For Postal Delivery:	For Hand Delivery:
USDA Forest Service, Northern Region ATTN: Appeals Deciding Officer P.O. Box 7669 Missoula, MT 59807	Northern Region Headquarters Federal Building, 200 East Broadway Missoula, Montana Business Hours: 8:00 AM to 4:30 PM

Appeals may be FAXed to (406) 329-3411.

For electronic appeals, the e-mail subject line should contain the name of the project being appealed. An automated response should confirm your electronic appeal has been received. Electronic appeals must be submitted in MS Word, Word Perfect, or Rich Text Format (RTF). Electronic appeals must be submitted to: appeals-northern-regional-office@fs.fed.us.

If an appeal is received on this project there may be informal resolution meetings and/or conference calls between the Responsible Official and the appellant(s). These discussions would take place within 15 days after the closing date for filing an appeal. All such meetings are open to the public. If you are interested in attending any informal resolution discussions, please contact the Responsible Official or monitor the following website for postings about current appeals in the Northern Region of the Forest Service: http://www.fs.fed.us/r1/projects/appeal_index.shtml.

If no appeal is received, implementation of this decision may occur on, but not before, five business days from the close of the appeal filing period. If an appeal is received, implementation may not occur for 15 business days following the date of appeal disposition. Implementation of this decision will likely begin in the spring 2009.

Supporting documentation for this decision is available for public review at the BDNF, 420 Barrett Street, Dillon, Montana 59725.

CONTACT PERSON

For further information on this project, please contact Alex Dunn, Environmental Coordinator, BDNF, 420 Barrett Street, Dillon, Montana 59725, phone (406) 683-3964.

RESPONSIBLE OFFICIAL

/s/ **Bruce Ramsey**

2/27/2009

BRUCE RAMSEY
Forest Supervisor, Beaverhead-Deerlodge National Forest
Responsible Official

DATE

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDAs TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202)720-6382 (TDD). USDA is an equal opportunity provider and employer.